

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

STATE OF MISSOURI, et al.,  
*Plaintiffs-Appellees-Cross-Appellants,*

*v.*

JOSEPH ROBINETTE BIDEN, JR., in his official  
capacity as President of the United States, et  
al.,

*Defendants-Appellants-Cross-Appellees.*

Nos. 24-2332, 24-2351

**DESIGNATION AND STATEMENT OF THE ISSUE**

A. Defendants-Appellants Joseph Robinette Biden, Jr., et al., designate the following items for inclusion in the Joint Appendix, together with the items required by Federal Rule of Appellate Procedure 30(a)(1)(A)-(C).

- Exhibits to Defendants' Memorandum in Support of Motion to Dismiss Case and Opposition to Plaintiffs' Motion for a Preliminary Injunction (May 7, 2024), R. Docs. 22-1 to 22-7.
- Exhibits to Plaintiffs' Memorandum in Opposition to Defendants' Motion to Dismiss and Reply in Support of Motion

for a Preliminary Injunction (May 17, 2024), R Docs. 26-1 to 26-2.

- Exhibit to Defendants' Reply in Support of Motion to Dismiss (May 27, 2024), R. Doc. 29-1.
- Defendants' Notice of Appeal (June 27, 2024), R. Doc. 37.
- Plaintiffs' Notice of Cross-Appeal (June 28, 2024), R. Doc. 42.
- Order Denying Plaintiffs' Motion for Clarification of the Preliminary Injunction (July 10, 2024), R. Doc. 54.
- Transcript of Motion Hearing (June 3, 2024).

**B.** Defendants-Appellants set forth the following general substantive issue for their appeal (No. 24-2332). In drafting their brief, Defendants-Appellants may frame the issue(s) differently.

Whether the district court erred by preliminarily enjoining “any further loan forgiveness for borrowers under the Final Rule’s SAVE plan.”

Respectfully submitted,

*/s/ Simon C. Brewer*

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SIMON C. BREWER

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JULY 2024

## CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2024, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Simon C. Brewer

Simon C. Brewer